

UNITED STATES DISTRICT COURT

for the

Southern District of Alabama

United States of America

v.

CEDRIC D. KENNEDY

Case No: 12-00032-CG & 12-00068-CG

USM No: 12561-003

Date of Original Judgment: August 30, 2012

Date of Previous Amended Judgment:

(Use Date of Last Amended Judgment if Any)

Pro Se

Defendant's Attorney

ORDER REGARDING MOTION FOR SENTENCE REDUCTION
PURSUANT TO 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

☒ DENIED. ☐ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of _____ months is reduced to _____.

(Complete Parts I and II of Page 2 when motion is granted)

ADDITIONAL COMMENTS

Cedric Kennedy is not eligible for a reduction of sentence pursuant to the 2014 Amendment to the Drug Guidelines. At the time of sentencing, the defendant was subject to a statutory mandatory minimum sentence of 60 months as to counts 1 and 3 of case number 12-00032 and count 30 of case number 12-00068. Upon imposition of sentence, Kennedy received a sentence of 51 months as to the drug violation counts: 1 in 12-00032 and 30 in 12-00068, which fell below the statutory minimum of 60 months. As the sentence was not imposed pursuant to a 3553(e) motion, he is not entitled to any additional reduction in sentence, as his actual guideline range remains 60 months as to those counts of conviction.

Except as otherwise provided, all provisions of the judgment dated _____ shall remain in effect.

IT IS SO ORDERED.

Order Date: February 23, 2015

Callie V.S. Granade
U.S. District Judge

Digitally signed by Callie V.S. Granade U.S. District Judge
DN: cn=Callie V.S. Granade U.S. District Judge, o=U.S.
Government, ou=Federal Judiciary,
email=efile_granade@alsd.uscourts.gov, c=US
Date: 2015.02.23 08:54:47 -06'00'

Judge's signature

Effective Date: _____
(if different from order date)

United States District Judge

Printed name and title